

REMARKS

Favorable reconsideration of the present application is respectfully requested.
Claims 1-21 are currently pending in the application.

In accordance with the Examiner's request, the previously filed declaration of Anuj Chauhan has been revised to reflect the proper title, provide additional evidence of reduction to practice, and demonstrate diligence from the time period prior to 3/29/2001 until actual reduction to practice. Additionally, the revised declaration has been executed by all Applicants.

Claims 1, 4-5, 7-15 and 20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0141760 to Resnick ("Resnick"), Ding (PSTT, Vol. 1, No. 8, Nov. 1998), Vandamme (Progress in Retinal and Eye Research 21 (2002) 15-34), Nagarsenker et al. (Int. Journal of Pharmceutics 190 (1999) 63-71 and Paul et al. (Current Science, Vol. 80, No. 8, 25 April 2001). Claims 6 and 17-19 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Resnick, Ding (PSTT, Vol. 1, No. 8, Nov. 1998), Vandamme (Progress in Retinal and Eye Research 21 (2002) 15-34), Nagarsenker et al (Int. Journal of Pharmceutics 190 (1999) 63-71 and Paul et al (Current Science, Vol. 80, No. 8, 25 April 2001) as applied to Claims 1, 4-5, 7-15 and 20 above, and further in view of U.S. Patent No. 6,264,971 to Darouger et al ("Darouger"). Claims 6 and 16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Resnick, Ding (PSTT, Vol. 1, No. 8, Nov. 1998), Vandamme (Progress in Retinal and Eye Research 21 (2002) 15-34), Nagarsenker et al (Int. Journal of Pharmceutics 190 (1999) 63-71 and Paul et al (Current Science, Vol. 80, No. 8, 25 April 2001) as applied to Claims 1, 4-5, 7-15 and 20 above, and further in view of U.S. Patent Publication No. 2003/0216431, filed 8/1/2002 to Raut ("Raut"). Finally, Claims 2-3 and

21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Resnick, Ding (PSTT, Vol. 1, No. 8, Nov. 1998), Vandamme (Progress in Retinal and Eye Research 21 (2002) 15-34), Nagarsenker et al (Int. Journal of Pharmceutics 190 (1999) 63-71 and Paul et al (Current Science, Vol. 80, No. 8, 25 April 2001) as applied to Claims 1, 4-5, 7-15 and 20 above, and further in view of Ghosh (Indian Journal of Biochemistry & Biophysics, Vol. 37, October 2000, pages 273-282).

Regarding the 103(a) rejections of Claims 1-21, Applicants respectfully maintain the position and arguments provided in the previous response filed December 20, 2010, which are not repeated herein in the interests of brevity and efficiency, but that are herein incorporated by reference.

In the alternative, Applicants further note evidence of conception plus reasonable diligence to reduction to practice. Applicants direct the Examiner to the enclosed Declaration with Attachments A, B, and C.

Attachment A provides a document originally provided to University of Florida as part of the application process for a position as an Associate Professor in the department of chemical engineering. Based upon the inventor's computer records this document was last modified on February 3, 2000 and was submitted to University of Florida approximately mid-February, 2000. Thus, this document pre-dates the March 29, 2001 filing date of Resnick.

Applicant was hired by the University of Florida and initiated his tenure as an Associate Professor the Fall term of 2000. Attachment B provides a copy of a document distributed to graduate students at the University of Florida. The document was used in selecting the students that assisted with the research. Based upon the inventor's computer

records this document was last modified on October 20, 2000. Thus, this document also pre-dates the March 29, 2001 filing date of Resnick.

Attachment C is the invention disclosure that was submitted to the University of Florida Office of Technology Licensing. The document was submitted on October 23, 2001 and received October 29, 2001. This document provides further evidence of continued diligence related to this invention.

In view of the enclosed Declaration, Resnick should be disqualified as prior art under 35 U.S.C. § 103(a), and the rejections should be withdrawn.

A Notice of Allowance is respectfully requested.

Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T2315-908542US02) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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